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**By Email:**

April 11, 2023

The Honorable Paul G. Gardephe  
United States District Judge  
Southern District of New York  
United States Courthouse  
40 Foley Square  
New York, New York 10007

**MEMO ENDORSED**

**The Application is granted.**

**SO ORDERED:**

Paul G. Gardephe  
Paul G. Gardephe, U.S.D.J.

Dated: April 11, 2023

**Re: *United States v. Johnny Damus et al.*,  
Case No: 22 Cr. 514 (PGG)**

Dear Judge Gardephe:

We are respectfully asking this Honorable Court for the defendant, Johnny Damus who resides in the State of Georgia, City of Atlanta, to appear virtual today, Tuesday, April 11, 2023, for a status conference that is scheduled at 2:00 p.m.

Your Honor, due to a miscommunication from my office with Mr. Damus, we did not inform him that he should appear at today's conference in person, even though Mr. Damus had communicated with my office, specifically asking us whether he should appear in person. We failed to inform him that he should. I do sincerely apologize to the Court for not informing Mr. Damus of his required presence. I am kindly asking the Court for Mr. Damus to appear virtual today, and assure this Honorable Court that this will not happen again.

AUSA Ashley Nicholas takes no position in this request.

Thank you Your Honor for understanding.

Respectfully submitted,

*/s/ Albert Y. Dayan*  
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cc. Ashley C. Nicolas  
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